IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

SUIT NO.2761 OF 1998

Ispat Industries Ltd. ...Plaintiff.
Versus
Anand Agrochem India Pvt. Ltd. & Anr. ...Defendants.

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Mr.Shailesh Shah with Ms.Manorama Mohanty i/b. S.K. Srivastava Co. for the Plaintiff.
Mr. J. P. Sen with Mr. Rahul Moghe for Defendant No.1.
Ms.Jyoti Shinde i/b. Vibha Juris Consult Co. for Defendant No.2.

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CORAM : DR. D.Y. CHANDRACHUD, J.

July 28, 2009.

P.C.:

It is common ground between the Leaned Counsel that a Written Statement was required to be filed within four weeks of 23rd November 2005. The Written Statement was affirmed on 23rd February 2006. The Learned Advocate appearing on behalf of the First Defendant has stated that the Written Statement which has already been affirmed, may be permitted to be taken on record. The Learned Advocate appearing on behalf of the Plaintiff opposed. Having regard to the circumstance that the suit is still pending trial, and the Written Statement was affirmed as far back as in February

2006, it would be in the interests of justice to grant leave to the First Defendant to file a Written Statement subject to the payment of costs. The Written Statement of the First Defendant is taken on record, subject to the payment of costs, quantified at Rs.3,000/- which shall be a condition precedent and shall be paid within a period of one week of an ordinary copy being made available.

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